

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK

In re:

TLC HEALTH NETWORK,

Debtor.

Case No. 1-13-13294-CLB

Chapter 11

**LIMITED OBJECTION TO MOTION OF DiPIAZZA
FOR RELIEF FROM THE AUTOMATIC STAY**

TLC Health Network (“TLC” or “Debtor”), as and for its limited objection (the “Objection”) to the motion of Charles M. DiPiazza, Individually and as Executor of the Estate of Teresa M. DiPiazza, Individually and Personal Injury Beneficiary, (collectively hereafter “DiPiazza”) for relief from the automatic stay (the “Motion”), respectfully represents to the Court as follows:

1. In the Motion, DiPiazza seeks relief from the automatic stay for the purpose of continuing a medical malpractice action in New York State Supreme Court, to the extent of available insurance.

2. TLC does not oppose such relief in concept, but requests that specific language be included in any order granting the motion.

3. While TLC does have insurance for the DiPiazza claim through Physicians Reciprocal Insurance Company (“PRI”), the policy includes a \$25,000 deductible. Including the suggested language will provide the relief requested by DiPiazza and will also resolve any issues surrounding responsibility for the deductible. A copy of a proposed order is annexed hereto as Exhibit “A”.

WHEREFORE, TLC requests that the Court grant the Motion but only on the terms set forth in the attached proposed order, and grant such other and further relief which to the Court may seem just and proper.

Dated: March 5, 2014
Syracuse, New York

MENTER, RUDIN & TRIVELPIECE, P.C.
Counsel for Debtors and Debtors in Possession

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